



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

SUNDGREN

Atty. Ref.: 4448-44; Confirmation No. 1250

Appl. No. 10/583,117

TC/A.U. 3617

Filed: August 22, 2006

Examiner: Robert J. McCarry, Jr.

For: GUIDE RAIL OF COMPOUND TYPE AND A METHOD FOR MANUFACTURING
SUCH A RAIL

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September 16, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CONFIRMATION OF TELEPHONIC INTERVIEW

On September 15, 2009, applicant's representative conducted a telephonic interview with Examiner McCarry to clarify the "Preliminary Comments Accompanying the Request for Continued Examination" filed on August 26, 2009.

Subsequent to filing the Preliminary Comments on August 26, applicant's representative was informed of a translational error in regard to a publication from the Swedish Trade Association of the Swedish steel industry entitled "Steel and Aluminum – A Comparison of Material Properties, LCI and Recycling". This document was cited in the Information Disclosure Statement filed on August 26 along with the RCE.

In particular, the Swedish Trade Association's material comparison results show that stainless steel and aluminum can very easily have yield points which are opposite to what is claimed. Specifically, the Swedish word "sträckgräns" was incorrectly translated to yield strength instead of yield point. In addition the Swedish word "draghållfasthet" translates to yield strength. Thus, the comparisons of the Swedish Trade Association article undermine the

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examiner's position that the prior art would have an outer rail with a yield point exceeding that of the base rail, as set forth in the claims. Moreover, applicants apologize for the translational error but respectfully point out that the examiner's comment in the Advisory Action of July 2, 2009 regarding the potentially different meanings of yield point and yield strength is no longer at issue.

Prompt and favorable examination and allowance are respectfully requested.

Respectfully submitted,

NIXON & VANDERHYTE P.C.

By: _____



Paul T. Bowen
Reg. No. 38,009

PTB:eaw
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100